



# Hendry County Sheriff's Office

## General Order 19.6

<b>TITLE:</b> Child Abuse Investigations	<b>SHERIFF'S APPROVAL:</b> Digital
<b>ORIGINATION DATE:</b> May 29, 2019	<b>REVISION DATE:</b>
<b>RELATED REFERENCES:</b> §479.05, F.S., §800.04, F.S., §847.0133, F.S., §847.0135, F.S., §39.306, F.S., Chapter 827, F.S.	
<b>CFA:</b>	
<b>REVIEW FREQUENCY:</b> 3 YEARS	<b>DATE OF NEXT REVIEW:</b> May 29, 2022

**I. PURPOSE:** To establish procedures for the investigations of child abuse..

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**II. SCOPE:** This order shall apply to all sheriff's office members.

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**III. POLICY:** The investigation of a sexual or physical child abuse complaint allows for initial law enforcement and Department of Children and Families Services (DCF) contact with the child and one complete interview with the child. The complete interview will be the only interview allowed for law enforcement and the DCF's investigation. It is imperative that the Sheriff's Office and DCF work in conjunction in order to obtain the most complete interview possible since the interview needs to accomplish the goals of each agency. Both agencies must achieve open communication and a sure and rapid method of notification when a child abuse investigation is initiated. The Sheriff's Office and DCF have agreed to wait 30 minutes for each agency to arrive on scene before proceeding with their investigation without the other being present.

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### IV. PROCEDURE

#### A. Initial Response

1. All employees are to report known or suspected acts of child abuse, abandonment, neglect or death of a child to the DCF Florida Abuse Hotline (1-800-96-ABUSE) as prescribed in Florida Statute 39.201.
2. Upon receiving an initial allegation of child abuse, the Telecommunications Center notifies the appropriate on-duty patrol supervisor.
3. The Telecommunications Center only issues a case report number directly to a patrol deputy, supervisor or requesting agent regarding allegations of child abuse/maltreatment/neglect; case report numbers are not issued to members of DCF. This practice assures that DCF and HCSO are involved in a collateral investigation of all child abuse allegations.

4. The patrol supervisor determines, based upon the information available and supplied by DCF, if a patrol deputy response is necessary.
  5. Absent the involvement of DCF, patrol deputies respond to all allegations of child abuse.
  6. The responding deputy investigates all third degree felony child abuse cases dealing with neglect that does not cause great bodily harm or permanent disability/ disfigurement. Refer the investigation to the Criminal Investigation Unit if the investigation requires lengthy interviews, detailed investigative follow-up and/or additional investigative resources.
- B. Upon investigating the initial allegation of child abuse, the deputy:
1. Reviews the basis for the complaint and determines if there is a criminal offense.
  2. Conducts interviews with witnesses.
  3. Conducts the preliminary interview with victims.
  4. Documents the living conditions, when applicable.
  5. Collects and preserves evidence, when applicable.
  6. Confers with or reports to DCF.
  7. Photographs any reported or visible trauma on the child.
    - a. Refers alleged injuries to the genital region or female breast area to their supervisor prior to taking photographs.
    - b. Makes referral to the child protection team if the areas of visible trauma on the child indicates a need for medical examination, or if the child verbally complains or otherwise exhibits distress as a result of the injury or neglect.
- C. Contact the Criminal Investigation Unit's on-call agent for assistance with the interview of the child if the case is founded and the child is under the age of 12.
- D. Depending on the nature of the incident, contact the Criminal Investigation Unit's on-call detective if either the deputy or DCF refers the child to the child protection team for a medical exam or forensic interview.
- E. The deputy is authorized under Florida Statute 39.306 to share Florida criminal history and local criminal history information with DCF or its authorized agents directly responsible for the child protective investigation and emergency child placement.
- F. Do not release the name of any person reporting child abuse, abandonment, or neglect.
- G. If the deputy, DCF or its detective is denied reasonable access to a child by the parents, legal custodians, or caregivers and DCF deems that the best interests of the child so require, DCF seeks an appropriate court order or other legal authority prior to examining and interviewing the child.
- H. In a child protective investigation or a criminal investigation, when the initial interview with the child is conducted at school, DCF or HCSO allows a school instructional staff member who is known by the child to be present during the initial interview if DCF or responding deputy believes that the school instructional staff member could enhance the success of the interview by his or her

presence or the child requests or consents to the presence of the school instructional staff member at the interview.

- I. The deputy contacts the Criminal Investigation Unit's on-call detective if:
  - 1. A child is a victim of aggravated child abuse as defined in Florida Statute 827.03.
  - 2. There are lewd acts or assaults upon a child.
  - 3. Someone is procuring a child for prostitution.
  - 4. A child is a victim of sexual battery or sexual abuse.
  - 5. Sexual abuse of a child allegedly involves vaginal or anal penetration or determination is made that other unlawful sexual conduct occurred.
  - 6. There is reported malnutrition of a child and failure of a child to thrive.
  - 7. There is venereal disease, or any other sexually transmitted disease, in a prepubescent child.
  - 8. There is child abuse where the victim is under **three** years of age;
  - 9. There is any sex offense not enumerated above, absent any other defined responsibility within the agency.
  - 10. A deputy considers taking a child into emergency custody.
  - 11. There is a substantial belief, based on follow-up investigative interviews, that the child and/or the family will be removed from the jurisdiction of Hendry County Sheriff's Office.
- J. Prior to leaving the scene, the deputy provides the DCF investigator with their name and ID number, case report number, status of the investigation and the name of the person responsible for investigation closure.
- K. The deputy completes a case report whether the case is founded or unfounded; include in the report narrative the date, time and name of the Criminal Investigation Unit detective consulted and the DCF investigator, if one is assigned to the case.
- L. Under no circumstances refer a case to the Criminal Investigation Unit for investigation without prior verbal agreement between the investigating deputy and the Criminal Investigation Unit's on-call detective, or unit supervisor in the event that the on-call detective is unavailable.
- M. Non-Caregiver Abuse Allegations
  - 1. All allegations of non-caregiver abuse originating within Hendry County are forwarded by DCF Florida Abuse Hotline to HCSO via the Florida Crime Information Center (FCIC) using a Florida Administrative Message (FAM). Upon receipt of the FAM, the Telecommunications Center determines the jurisdiction (county, tribal or municipality) where the incident is alleged to have occurred.
    - a. If the allegation originated in a municipality or tribal law enforcement jurisdiction, serviced by its own law enforcement agency, the Telecommunications Center logs the complaint and promptly forwards the message to that agency's designated teletype terminal (ORI) with a

request for confirmation of receipt. The Telecommunications Center retains both the forwarded message and confirmation message.

- b. If the allegation originated in a municipality for which HCSO provides contracted dispatch services, the FAM is logged for dispatch. The Telecommunications Center forwards the corresponding case number to the affected agency. The Telecommunications Center retains the FAM and CAD call.
  - c. If the allegation originated in an unincorporated area (or any municipality/township for which HCSO is the primary law enforcement agency), the FAM is logged and dispatched. The Telecommunications Center retains the FAM and CAD call.
2. Circular reporting
- a. Deputies mandatorily reporting allegations of non-caregiver abuse to the DCF Florida Abuse Hotline provide the hotline intake staff with the original HCSO CAD number from which the abuse report originated and request that it be included in the FAM that is subsequently returned to this agency.
  - b. Upon receipt of the law enforcement generated FAM, the Telecommunications Center generates a new CAD number that specifically addresses the non-caregiver abuse allegation and includes the original CAD number in the comments to expedite cross-referencing.

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## V. GLOSSARY

**CHILD ABUSE** – For the purpose of this procedure, child abuse is an act committed against a child as described by Florida Statutes 800.04, 479.05, 847.0133, 847.0135 and 827.

**CIRCULAR REPORTING** – Complaints made to the Florida Abuse Hotline by law enforcement personnel engaged in their duties that are then returned to the agency by a Florida Administrative Message (FAM).

**FLORIDA ABUSE HOTLINE** – Florida Abuse Hotline is the single statewide toll-free telephone number for reporting child abuse in the State of Florida.

**INTERVIEW – CHILD ABUSE** – A procedure, means any procedure in which the child is required to provide and does provide a detailed account or demonstration of the nature and circumstances of the abuse. This procedure DOES NOT include the history obtained for the purpose of psychological diagnosis, therapy, and/or treatment, or any initial contact with the child by law enforcement or the Department of Children and Families Services, to assess the validity of the complaint or the need to take protective measures on behalf of the victim. (If the Department of Children and Families Services is not involved, the initial officer need not contact the child or interview the child if sufficient information from other credible sources indicates a child abuse investigation is required.)

**PROTECTIVE INVESTIGATOR** – A designated protective investigator from child protective services.

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**Your electronic signature in Power DMS acknowledges you have read this policy and understand it.**